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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/183,621	10/30/1998	MARTIN LIVESEY	49658-025	3358
29989	7590	12/04/2003		
HICKMAN PALERMO TRUONG & BECKER, LLP 1600 WILLOW STREET SAN JOSE, CA 95125				
			EXAMINER GOOD JOHNSON, MOTILEWA	
			ART UNIT 2672	PAPER NUMBER 33
DATE MAILED: 12/04/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/183,621

Applicant(s)

LIVESEY, MARTIN

Examiner

Motilewa A. Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-28 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-28 and 31-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the following communications: application, filed on 10/30/1998; Amendment A, filed on 09/25/2000; Appeal Brief, filed on 08/22/2001; Amendment B, filed on 02/27/2002; Request for reconsideration, filed on 09/04/2002; Amendment C, filed 06/30/2003; Amendment D, filed 10/20/2003.
2. Claims 26-28 and 31-33 are pending.
3. The present title of this application is "Aperiodic Tiling of Textured Images" (as originally filed).

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 26-28 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Stam, *Aperiodic Texture Mapping*, ERCIM, July 1996- March 1997, pages 1-9.

As per independent claim 26, a method for performing textured mapping of a target area . . . comprising the steps of: providing a user interface that allows a

user to select placement of aperiodic tiles on a texture image; based on said placement, generating textured tiles; and covering said target area in an aperiodic tiling pattern with said textured tiles. (Stam discloses a computer graphics modeling tool algorithm which texture maps a texture on a square domain onto a surface, i.e. target area, and based on the texture map with the period boundaries generating an aperiodic tiles of the texture map, page 2); wherein each of the aperiodic tiles has a periphery shape and . . . pattern is aperiodic relative to a pattern created by periphery shapes . . . placed on said target area. (Stam discloses tools allowing an animator to design the shape of an object using free form surfaces, page 2, and further discloses constructing aperiodic tiling using non-square shapes, page 4)

With respect to dependent claim 27, receiving input that defines said texture image. (Stam discloses receiving the texture map, page 2)

With respect to dependent claim 28, the step of covering said target area in said aperiodic tiling pattern . . . includes the step of: placing said textured tiles in an overlapping configuration on said target area. (Stam discloses the aperiodic tile generated by recursively replacing each tile, therefore providing an overlap in the texture tile, page 2)

As per independent claim 31, a computer-readable medium carrying one or more sequences of instructions for performing textured mapping . . . performing the steps of: providing a user interface that allows a user to select placement of aperiodic tiles on a texture image; based on said placement, generating textured tiles; and covering said target area in an aperiodic tiling pattern with said textured tiles. (Stam discloses a

computer graphics modeling tool algorithm which texture maps a texture on a square domain onto a surface, i.e. target area, and based on the texture map with the period boundaries generating an aperiodic tiles of the texture map, page 2) wherein each of the aperiodic tiles has a periphery shape and . . . pattern is aperiodic relative to a pattern created by periphery shapes . . . placed on said target area. (Stam discloses tools allowing an animator to design the shape of an object using free form surfaces, page 2, and further discloses constructing aperiodic tiling using non-square shapes, page 4)

With respect to dependent claim 32, receiving input that defines said texture image. (Stam discloses receiving the texture map, page 2)

With respect to dependent claim 33, placing said textured tiles in an overlapping configuration on said target area.

### ***Response to Arguments***

6. Applicant's arguments filed 10/20/2003 have been fully considered but they are not persuasive.

Applicant argues that Stam fails to disclose aperiodic relative to a pattern created by periphery shapes. Stam discloses aperiodic tiling pattern created by periphery shapes, see figure 2, and further discloses constructing tiles using non-square shapes, page 4, section 5. Applicant argues that Stam fails to disclose providing a user interface to select placement of aperiodic tiles on a texture image. Stam discloses computer graphics modeling tools, it is inherent that in modeling computer graphics, a

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user interface is necessary to allow a designer/user to interact and create the desired models.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson  
Examiner  
Art Unit 2672

mgj  
November 25, 2003

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TECHNOLOGY CENTER 2600  
MICHAEL RAZAVI  
SUPERVISORY PATENT EXAMINER  
JAN 24 2010